PTO/SB/17 (10-03)
Approved for use through 07/31/2006, OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 130.00

Complete if Known	
Application Number	10/019,243
Filing Date	December 21, 2001
First Named Inventor	Richard S. Judson
Examiner Name	
Art Unit	2857
Attorney Docket No.	2458-4042US3

METHOD OF PAYMENT *(check all that apply)*

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 50-1293

Deposit Account Name: Genaissance Pharmaceuticals, Inc.

The Director is authorized to: *(check all that apply)*

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) ($)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims		Fee from below	Fee Paid
Total Claims		-20** =	X	
Independent Claims		- 3** =	X	
Multiple Dependent				

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for *ex parte* reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
					0.00

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) ($) 130.00

RECEIVED JUL 28 2004 OIPE / JCW5

(Complete *if applicable*)

SUBMITTED BY			
Name (Print/Type)	Sandra L. Shaner	Registration No. (Attorney/Agent) 47,934	Telephone 203-773-1450
Signature			Date July 27, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/019,243
Confirmation No.:	3139
Applicant:	Richard S. Judson et al.
Filing Date:	December 21, 2001
Title:	Methods for Obtaining and Using Haplotype Data
Attorney Docket No.:	2458-4042US3

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Certificate of Facsimile Transmission
I hereby certify under 37 C.F.R. § 1.8 that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, Commissioner for Patents, TC 1600, at (703)-746-4060 on July 27, 2004.
Eileen McCaughern

TRANSMITTAL

In response to the Notice to File Missing Parts of a Nonprovisional Application filed under 37 CFR 1.53(b) dated July 2, 2004, enclosed herewith please find:

1. Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b) (2 pages)
2. Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b)
3. Combined Declaration and Power of Attorney (10 pages), executed 10/31/02 and 11/01/02
4. Copy of Revocation of Power of Attorney & Appointment of New Power of Attorney and Statement under 37 CFR 3.73(b) executed and filed 10/29/03 (2 pages)
5. Fee Transmittal Form (in duplicate)
6. Copy of Verified Certification of Express Mailing Date for submission of application December 21, 2001 (1 page)
7. Copy of page 2 of Form PTO-1449 submitted June 11, 2003 (1 page)

Date: July 27 2004
Registration No. 47,934
203-773-1450
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By: Sandra L. Shaner
Sandra L. Shaner
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/019,243
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RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b)

This paper is being sent in response to the Notice to File Missing Parts of Nonprovisional Application mailed July 2, 2004. The Notice indicates that the oath or declaration is missing along with the surcharge of $130.00 for filing the oath or declaration on a date later than the filing date of the application. Additionally, the Notice indicates that there are several problems related to compact disc(s) allegedly submitted with the application and also that the application fails to comply with the requirements of 37 CFR 1.821-1.825.

Enclosed is a Combined Declaration and Power of Attorney in compliance with 37 CFR 1.63 executed by all named inventors. The accompanying Fee Transmittal (PTO/SB/17) authorizes payment of the surcharge fee for filing the Combined Declaration and Power of Attorney on a date later than the filing date of the application to a deposit account number.

With respect to the Power of Attorney included with the Declaration, note that the execution date by the inventors was 10/31/02 and 11/01/02. Subsequently on 10/29/03, the Assignee of this application executed and filed a Revocation of Power of Attorney & Appointment of New Power of Attorney to the practitioners of Customer No. 25106 with the USPTO, a copy of which is included herein.

With respect to the problems related to the compact disc(s) allegedly submitted with the application, Applicants assert that the compact disc associated with this application was NOT submitted as part of the application. Attached is a copy of the Verified Certification of Express Mailing Date enumerating the papers submitted at the time of filing the application on December 21, 2001. No compact disc is enumerated among the documents submitted. A compact disc was

submitted, improperly, as part of the Information Disclosure Statement filed June 11, 2003. The disc submitted as part of the Information Disclosure Statement contained, in electronic pdf format, two PCT publications. A copy of the page (Page 2 of 6) of the Form PTO 1449 referring to the "CD format" for publications WO 00/50639 A2 and A3 submitted June 11, 2003 is attached. Applicants will resubmit these publications in proper form as paper documents in a new Information Disclosure Statement.

With respect to the alleged failure of the application to comply with the requirements of 37 CFR 1.821-1.825, the Notice fails to point out where in the application the Patent Office believes there are sequences that clearly fail to comply with the requirements of 37 CFR 1.821-1.825. Applicants believe that no sequence listing is required for this application as no sequence is present in the application that is at least as long as the minimum sequence length (4 unbranched amino acids or 10 unbranched nucleotides) defined in 37 CFR §1.281(a) that triggers the need for a sequence listing. Consequently, Applicants assert that the application is in compliance with 37 CFR 1.821-1.825.

Applicants respectfully believe that this submission completes the requirements of 37 C.F.R. 1.53(f) and acceptance is respectfully requested. Should any questions arise, or if Applicants or Applicants' Agent can facilitate examination of this application, it is respectfully requested that the undersigned Agent be contacted so that any remaining issues can be resolved.

Date: July 27, 2004
Registration No. 47,934
203-773-1450
s.shaner@genaissance.com

By: Sandra L. Shaner
Sandra L. Shaner
Genaissance Pharmaceuticals, Inc.
Five Science Park
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/019,243	12/21/2001	Richard S. Judson	2458-4042US3

CONFIRMATION NO. 3139

25106
GENAISSANCE PHARMACEUTICALS
5 SCIENCE PARK
NEW HAVEN, CT 06511

FORMALITIES LETTER

OC0000000013143091

Date Mailed: 07/02/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
  A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of $130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The compact disc(s) submitted fail to comply with 37 CFR 1.52(e) in that they contain non-ASCII files. A new duplicate set of compact discs with only ASCII files is required. Any replacement compact disc submitted should be accompanied by a certification as required by 37 CFR 1.52(e) that each disc of a duplicate set is identical to the other disc of the set. If a directory of the disc could be printed, it is attached and non-ASCII files are marked on the directory listing.
- The compact disc(s) submitted fail to comply with 37 CFR 1.52(e) in that only a single copy of each disc was provided. A duplicate copy of each compact disc must be provided on Compact Disc-Read Only Memory (CD-ROM) or a Compact Disc-Recordable (CD-R) media. Any replacement compact discs submitted should be accompanied by a certification as required by 37 CFR 1.52(e) that each disc of a duplicate set is identical to the other disc of the set.
- This application is objected to because it contains a data file on CD-ROM/CD-R, however, the transmittal letter does not list for each compact disc, the machine format, the operating system compatibility, a list of files contained on the compact disc including their names, sizes in bytes, and dates of creation, plus any other special information that is necessary to identify, maintain, and interpret the information on the compact disc as required by 37 CFR 1.52(e)(3). A statement listing the required information is required. Additionally, the disc(s) is not identified in the paper portion of the specification with a listing of all of the files contained on the disc. When portions of an application are contained on a compact disc, the paper portion of the specification must identify the compact disc(s) and list the files including name, file size, and creation date on each of the compact discs. See 37 CFR 1.52(e). Applicant(s) are required to amend the specification to identify each disc and the files contained on the disc including the file name, file size, and file creation date.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase Patentin Software, call (703) 306-2600**
- **For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is $130 for a Large Entity

- $130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Y. G

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY